IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 14967 of 2004

Between:

Mohd.Faheem Siddique, s/o.Late Mohd.Osman Siddique,
R/o.H.NO.12-2-790/130, Ayodyanagar Colony,
Mehdipatnam, Hyderabad.

..... PETITIONER

AND

The Inspector of police, A.P.T.S-II, Central Circle,
A.P.Transco, Hyderabad.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ order or direction more particularly a writ in the nature of writ of Mandamus declaring the action of the respondent to pay the pilferage amount and compounding fee with respect to crime No.342/2000 of APTS Team-II, Central circle, A.P.Transco, Hyderabad as illegal and arbitrary.

Counsel for the Petitioner: MR.A.RAVI SHANKAR

Counsel for the Respondent: MR.KANAKAMEDALA RAVINDRA KUMAR

The Court at the admission stage made the following :

ORDER:

The petitioner is running a shop in the name and style of Moon Watches & Electronics in the premises bearing No. 10-1-128, Masab Tank which is provided with Service Connection No.A3-2484. The said premises was inspected on 27-11-2000 and on an allegation of pilferage of energy the electricity supply was disconnected and the value of the pilfered energy was provisionally assessed at Rs.2,02,910/-. That apart, Crime No.342 of 2000 was registered under Section 39 of the Indian Electricity Act, 1910 and investigation was taken up. Subsequently, after considering the explanation offered by the petitioner, final assessment order was passed on 10-05-2004 assessing the value of pilfered energy at Rs.1,06,190/-. However, on Appeal, the value was reduced to Rs.58,660/-. The petitioner filed W.P.No.13238 of 2004. This Court, pending the writ petition, ordered restoration of power supply subject to payment of Rs.25,000/-.

Now, this writ petition is filed alleging that in spite of the fact that he has paid a sum of Rs.25,000/- incompliance with the order of this Court in W.P.No.13238 of 2004, the respondent – Inspector of Police, is threatening and coercing the petitioner for payment of the balance together with the compounding fees.

In the counter affidavit filed by the respondent, the said allegations have been specifically denied and it is stated that the investigation in Crime No.342 of 2000 has already been completed and the charge-sheet is being filed. The fact that the petitioner has already paid Rs.25,000/- has been admitted.

Accordingly, recording the statement of the respondent in the counter affidavit that the investigation has already been completed and that he is not coercing or threatening the petitioner for payment of the balance, the writ petition is disposed of. No costs.

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04-10-2004

vs

To

1. The Inspector of police, A.P.T.S-II, Central Circle,
   A.P.Transco, Hyderabad.

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